



U.S. Department of Justice

Office of Legislative Affairs

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Office of the Assistant Attorney General

Washington, D.C. 20530

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The Honorable John Conyers, Jr.
Ranking Minority Member
Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

Dear Congressman Conyers:

This responds to your January 29, 2003, letter to Attorney General John Ashcroft regarding your concerns about the Federal Bureau of Investigation (FBI) collecting information about Muslim communities and religious organizations in the United States. We regret the delay in responding to your inquiry. An identical response is being sent to Senator Russell Feingold, and Congressman Jerrold Nadler.

You expressed concern that the collection of this information reveals a practice of unfairly targeting Arab-Americans and others of the Muslim faith. We can assure you that the Department of Justice (DOJ) does not target persons or groups based solely on ethnicity or religious affiliation. FBI Director Robert Mueller has made that clear in public statements and policy directives to the FBI field offices. The Department of Justice has issued policy guidance to ban Federal law enforcement from engaging in racial profiling. Nevertheless, the DOJ is sensitive to the adverse perception that the demographic survey may have created in the eyes of some, and we welcome the opportunity to set the record straight.

Utilizing publicly available sources, FBI Headquarters, not the various field offices, produced a broad demographic assessment for the primary purpose of providing FBI Executive management with a snapshot of the communities each field office serves, their working environment and the related resource implications. As one element of that broad assessment, information concerning the number of mosques and the approximate size of the Arab-American population in a given geographic area was compiled, as was information such as the physical size of the region covered by the field office and the number and type of certain educational facilities.

The purpose of the information collected has not been, and will not be, to justify the initiation of counter-terrorism investigations. Furthermore, FBI field office performance is not measured based upon a direct correlation between the number of mosques or Arab-Americans in its geographic area of responsibility and the number of active counter-terrorism investigations.

Instead, these snapshots will be used for two purposes. The first recognizes the reality that some individuals have integrated themselves into Muslim communities in order to covertly

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plan and perpetrate acts of terrorism and solicit material support for terrorist organizations. If the FBI is to perform effectively its primary mission of detecting and preventing acts of terrorism, our field offices need to reach out to the overwhelmingly law-abiding and patriotic members of these communities to help us locate terrorists and their supporters who may reside among them in an effort to avoid detection. The demographic survey has facilitated the FBI's efforts in knowing where these communities are concentrated and where to turn for assistance.

To date, our efforts to enlist the help of Arab-American communities in this crucial mission have been successful. This outreach effort has included contacts at all levels of the FBI, including three meetings of the leaders of national Muslim, Sikh and Arab-American organizations with Director Mueller. It is our experience that the results of these efforts have been a greater understanding of the FBI's role in the fight against terrorism and a willingness to become more active in the fight against terrorism.

The second purpose served by the survey recognizes another reality: since September 11, 2001, Arab-Americans and others of the Muslim faith have increasingly been the targets of hate crimes and other civil rights violations. In this area, as well, the FBI has reached out to these communities to assure them that, despite the emphasis on counter-terrorism, investigating civil rights violations remains a high priority of the FBI. The Civil Rights Unit at FBI Headquarters has tasked field offices to contact Arab leaders for the purposes of establishing a dialogue and discussing procedures by which to bring these problems to their local FBI office. Over 500 such meetings have occurred since September 11, 2001.

In closing, let me assure you that, throughout the long duration of the fight against terrorism in this country, the DOJ will continue to abide by both the letter and the spirit of the Constitution and the federal law. We are committed to winning this battle in a manner that will preserve the rights of persons of all races and religious practices. We can ill afford to create the erroneous perception that we are violating these rights.

Thank you for this opportunity to respond to your concerns. If we can be of further assistance on this or any other matter, please do not hesitate to contact this office.

Sincerely,



William E. Moschella
Assistant Attorney General

cc: The Honorable F. James Sensenbrenner, Jr.
Chairman